

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

ERNESTO TORREZ, JR.,

Plaintiff,

CAROLYN W. COLVIN,  
Acting Commissioner of  
Social Security,

Defendant.

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Civil Action No. 1:14-CV-00321

Hon. Hugh W. Brenneman, Jr.  
U.S. Magistrate Judge

**JUDGMENT**

Pursuant to Federal Rule of Civil Procedure 58, judgment is hereby entered for Plaintiff, reversing the Commissioner's final decision and remanding this action to the Social Security Administration for further administrative proceedings, pursuant to the fourth sentence of 42 U.S.C. § 405(g). Upon remand, the Appeals Council will instruct the Administrative Law Judge to provide the claimant an opportunity to update the record; further evaluate whether the claimant's impairments meet or equal the severity of Listing 1.04; and, if warranted, give further consideration to the claimant's maximum residual functional capacity and provide rationale with specific references to evidence of record in support of assessed limitations, and, at step five, obtain supplemental evidence from a vocational expert.

DATED: December 29, 2014

/s/ Hugh W. Brenneman, Jr.  
HON. HUGH W. BRENNEMAN, JR.  
U. S. MAGISTRATE JUDGE